

IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
INITIAL APPEARANCE

FILED
DISTRICT COURT OF GUAM

DEC - 9 2005

MARY L.M. MORAN
CLERK OF COURT

CASE NO. CR-05-00087

DATE: December 9, 2005

HON. JOAQUIN V. E. MANIBUSAN, JR., Magistrate Judge, Presiding

Law Clerk: J. Hattori

Court Recorder: Wanda Miles & Courtroom Deputy: Leilani Toves Hernandez

Hearing Electronically Recorded - RUN TIME: 11:10:35 - 11:38:19

CSO: D. Quinata

***** A P P E A R A N C E S *****

DEFT: McCARTHY OCAYA CARTER

ATTY : HOWARD TRAPP

(X) PRESENT (X) CUSTODY () BOND () P.R.

(X) PRESENT (X) RETAINED () FPD () CJA APPOINTED

U.S. ATTORNEY: KARON JOHNSON

AGENT:

U.S. PROBATION: STEVE GUILLIOT

U.S. MARSHAL: J. CURRY

PROCEEDINGS: INITIAL APPEARANCE / WAIVER OF INDICTMENT / INFORMATION / PLEA

() COMPLAINT/INFORMATION/INDICTMENT READ TO DEFENDANT

() FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: _____, ATTORNEY APPOINTED

(X) DEFENDANT SWORN AND EXAMINED AGE: 42 SCHOOL COMPLETED: G.E.D.

(X) DEFENDANT ARRAIGNED ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES

() GOV'T SUMMARIZES THE EVIDENCE () GOV'T SUBMITS TO THE PLEA AGREEMENT

(X) COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT
OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA

() DEFENDANT WAIVES READING OF () COMPLAINT () INFORMATION () INDICTMENT

(X) PLEA ENTERED: (X) GUILTY () NOT GUILTY - TO: POSSESSION OF METHAMPHETAMINE HYDROCHLORIDE

() COUNT(S) _____ DISMISSED ON GOVERNMENT'S MOTION

() PLEA AGREEMENT FILED: _____ PLEA: (X) ACCEPTED () REJECTED

() COURT ORDERS PLEA AGREEMENT SEALED

() COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: _____ FOR RECOMMENDATION.

(X) SENTENCING DATE: March 15, 2006 at 1:30 p.m.

(X) PRESENTENCE REPORT ORDERED:

DUE TO THE PARTIES : FEBRUARY 3, 2006

DUE THE COURT: MARCH 3, 2006

PROCEEDINGS CONTINUED TO: _____ at _____

() DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)

(X) DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR() PROCESSING (X) DETENTION

() DETENTION HEARING REQUESTED BY GOV'T DEFT IS SET FOR: _____ at _____

() DEFENDANT RELEASED ON BAIL AS PREVIOUSLY ORDERED BY THIS COURT

NOTES:

Defendant consented to his plea before a U.S. Magistrate Judge. Pen and ink changes made in the plea agreement. Parties had no objections to the changes. Waiver of Indictment executed. The Court executed the Report and Recommendation.

Defense also requested for an expedited presentence report and sentencing date. The Court scheduled the sentencing date, however, advised the probation officer to expedite the report to the extent possible and notify counsel once it is ready.

Defense moved for the Evidentiary Hearing in CR-03-00103, set for Tuesday, December 13th be vacated based on the terms of the plea agreement to dismiss CR-03-00103 upon sentencing in this case. Government had no objections - Granted. No further written order will be issued by the Court.

Courtroom Deputy: 